

REMARKS

Applicant has carefully reviewed and considered the Office Action mailed on November 5, 2003, and the references cited therewith.

Claims 44, 60, 64, 68, 72, 77, 81, and 83 are amended, no claims are canceled, and no claims are added. As a result, claims 44, 45 and 60-83 are now pending in this application.

§102 Rejection of the Claims

Claims 44, 60, 62-64, 66-68, 70-72, 74-77, 79-81, and 83 were rejected under 35 USC § 102(b) as being anticipated by Honeycutt (U.S. Patent No. 5,644,166).

Honeycutt appears to show two separate portions containing titanium, each with a different chemical profile. Honeycutt appears to show a titanium germanosilicide ($TiSi_xGe_y$) portion 50 and a titanium germanide ($TiGe_x$) portion 52. However, Honeycutt does not show a layer of a titanium alloy covering the walls and bottom of a contact hole, the layer of titanium alloy having a **similar chemical profile in walls and a base portion** of the layer of titanium alloy. In contrast, claims 44, 60, 64, 68, 72, 77, 81, and 83 as amended include a layer of a titanium alloy covering the walls and bottom of a contact hole, the layer of titanium alloy having a similar chemical profile in walls and a base portion of the layer of titanium alloy.

Because the Honeycutt reference does not show every element of Applicant's independent claims, a 35 USC § 102(b) rejection is not supported. Reconsideration and withdrawal of the rejection is respectfully requested with respect to Applicant's independent claims 44, 60, 64, 68, 72, 77, 81, and 83. Additionally, reconsideration and withdrawal of the rejection is respectfully requested with respect to the remaining claims that depend therefrom as depending on allowable base claims.

Allowable Subject Matter

Claims 45, 61, 65, 69, 73, 78, and 82 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant acknowledges and thanks the Examiner for indication of allowability of claims 45, 61, 65, 69, 73, 78, and 82 if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has not amended claims 45, 61, 65, 69, 73, 78, and 82 to place them in independent form at this time. Pursuant to arguments presented above, Applicant respectfully submits that these claims are now in condition for allowance.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612) 373-6944 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By their Representatives,

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop RCE, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 13th day of January, 2004.

Name

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Signature

